REMARKS

I. Status of Claims

After the above amendments, claims 1-12 are pending with claims 1, 4, 5, 7, 10 and 11 being independent. Applicants thanks the Examiner for indicating that claims 3 and 9 would be allowable if written in independent form including all of the limitations of the base claim and any intervening claims.

II. Rejections under 35 U.S.C. §102(e) as being anticipated by MIZUTA et al. (US 2003/0064758 A1)

The Examiner has rejected claims 1 and 2 under 35 U.S.C. §102(e) as being anticipated by MIZUTA et al. (US 2003/0064758 A1), hereafter referred to as MIZUTA. Applicants respectfully request reconsideration of the rejections because MIZUTA neither explicitly nor implicitly, discloses, suggests, teaches or anticipates each and every limitation of claim 1. In particular, independent claim 1 requires:

> A method for detecting a folder position in a rotation touch phone having a camera, the rotation touch phone including a sensor section, a folder, a body, and a connecting section, the folder having a magnet, the sensor section including first, second and third sensors for detecting the magnet, the first and second sensors being located on the body and the third sensor being located on the connecting section, the connecting section connecting the folder to the body, the folder being movable from first, second, third and fourth states, the first state signifying a state in which the folder is initially closed, the second state signifying a state in which the folder has been opened from the first state, the third state signifying a state in which the folder has been rotated substantially 180 degrees from the second state, the fourth state signifying a state in which the folder has been closed from the third state, wherein the orientation of the folder with respect to the body in the fourth state is different than the orientation of the folder with

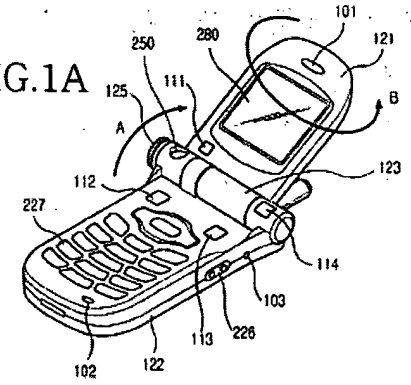
respect to the body in the first state, the method comprising the steps of:

i) receiving a signal from the sensor section notifying that the sensor section detects the magnet; and

ii) deciding that the folder is in at least one of the first to fourth states, based on the signal input from the sensor section (emphasis added).

As emphasized above, claim 1 requires that the phone have a camera and that the third sensor of the sensor section be located on the connecting section. As exemplified in the Applicants' drawing figure 1A, reproduced below for the Examiner's convenience, the phone includes a camera (element 250) and a third sensor (element 114) that is located on the connecting section. The location of the third sensor on the connecting section is beneficial in that it enables the determination of the folder having been completely rotated 180 degrees.

FIG.1A



By contrast, MIZUTA fails to disclose that the phone has a camera and fails to disclose that the third sensor is located on the connecting section. Applicants' have reviewed MIZUTA and are unable to find any teaching or suggestion of a phone having a camera. Should the examiner maintain the rejection, the Applicants respectfully requests that the Examiner clearly articulate how MIZUTA is being interpreted as anticipating the limitation of the phone having a camera. Further, while MIZUTA does disclose three sensors, MIZUTA dose not disclose that at least one of the sensors is located on the connecting section. As specified in MIZUTA's paragraph 94 and drawing figure 7A, all three of MIZUTA's sensors are located in the main body and thus are not on the connecting section. MIZUTA's drawing figure 7A is reproduced below for the Examiner's convenience.

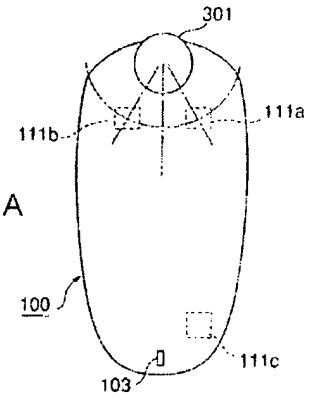


FIG.7A

Therefore, MIZUTA fails to either explicitly or implicitly, disclose, suggest, teach or anticipate each and every limitation of claim 1. In particular, MIZUTA does not teach that the phone has a camera and that the third sensor of the sensor section is located on the connecting section. Therefore, claim 1 is allowable over MIZUTA for the reasons given above. Moreover, dependent claim 2 is allowable for the reasons given above by virtue of its dependence on independent claim 1.

III. Rejections under 35 U.S.C. 103(a) as being as being unpatentable over OPELA (US 2004/0204122 A1) in view of MIZUTA et al. (US 2003/0064758 A1)

The Examiner has rejected claims 4 and 10 under 35 U.S.C. §103(a) as being unpatentable over OPELA (US 2004/0204122 A1) in view of MIZUTA et al. (US 2003/0064758 A1), hereafter referred to as MIZUTA. Applicants respectfully requests reconsideration of the rejections because OPELA and MIZUTA, neither alone nor in combination, explicitly or implicitly, discloses, suggests, teaches or renders obvious the subject matter of claim 4. In particular, independent claim 4 requires:

> A method for converting a mode of a rotation touch phone having a camera into a speakerphone mode by detecting a folder position, the rotation touch phone including a sensor section, a folder, a body, and a connecting section, the folder having a magnet and a bi-directional speakerphone, the sensor section including first, second and third sensors for detecting the magnet, the first and second sensors being located on the body and the third sensor being located on the connecting section, the connecting section having the camera and connecting the folder to the body,

> the folder being movable from first, second, third and fourth states, the first state signifying a state in which the folder is initially closed, the second state signifying a state in which the folder has been opened from the first state, the third state signifying a state in which the folder has been rotated substantially 180 degrees from the second state, the fourth state signifying a state in which the folder has been closed from the third state, wherein the orientation of the folder with respect to the body in the fourth state is different than the orientation of the folder with respect to the body in the first state, the method comprising the steps of:
>
> i) converting the mode of the rotation touch phone into the speakerphone mode when the first sensor detects the magnet, which represents that the folder is in the first state in which the folder is closed; and
>
> ii) converting the mode of the rotation touch phone into the speakerphone mode when the second sensor detects the magnet, which represents that the folder is in the fourth state in which the folder is closed by being rotated from the third state (emphasis added).

As emphasized above, the claim 4 requires that the phone have a camera, that the third sensor of the sensor section be located on the connecting section, converting the mode of the rotation touch phone into the speakerphone mode when the first sensor detects the magnet, which represents that the folder is in the first state, and converting the mode of the rotation touch phone into the speakerphone mode when the second sensor detects the magnet, which represents that the folder is in the fourth state. As exemplified in drawing figure 1A reproduced below, the phone includes a camera (element 250) and a third sensor (element 114) that is located on the connecting section. The location of the third sensor on the connecting section is beneficial in that it enables the determination of the folder having been completely rotated 180 degrees.

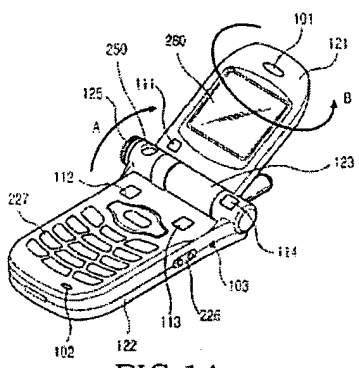


FIG.1A

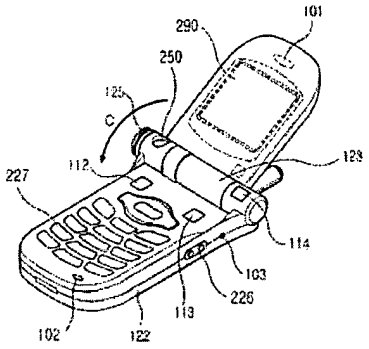


FIG.1B

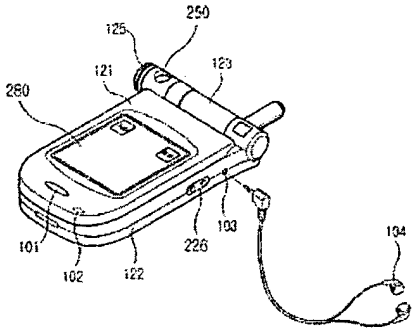


FIG.1C

As exemplified in drawing figures 1A-1C, when the portable device depicted in drawing figure 1A is folded, the portable device is in the first state. Drawing figure 1A exemplifies the portable device in the second state. Drawing figure 1B exemplifies the portable device the third sate. Drawing figure 1C exemplifies the portable device in the fourth state. Claim 4 requires converting the mode of the rotation touch phone into the speakerphone mode when the second sensor detects the magnet, which represents that the folder is in the fourth state.

By contrast, neither OPELA nor MIZUTA disclose that the phone has a camera or a third sensor that is located on the connecting section. Applicants' have reviewed MIZUTA and are unable to find any teaching or suggestion of a phone having a camera. Should the examiner maintain the rejection, the Applicants respectfully request that the Examiner clearly articulate how OPELA or MIZUTA is being interpreted as disclosing the limitation of the phone having a camera. Further, while MIZUTA does disclose three sensors, MIZUTA dose not disclose that at least one of the sensors is located on the connecting section. As specified in MIZUTA's paragraph 94 and drawing figure 7A, all three of MIZUTA's sensors are located in the main body and thus are not on the connecting section. Further, OPELA fails to disclose any sensors that are located on the connecting section. MIZUTA's drawing figure 7A is reproduced below for the Examiner's convenience.

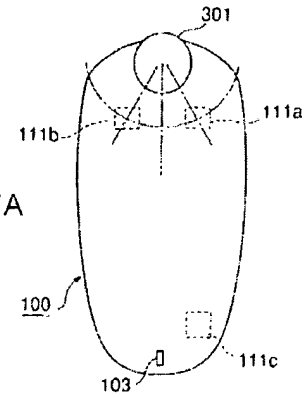


FIG.7A

Furthermore, while OPELA discloses use of a speakerphone in either of open or closed configurations, OPELA does not disclose *converting the mode of the rotation touch phone into the speakerphone mode* when the first sensor detects the magnet, which represents that the folder is in the first state, and *converting the mode of the rotation touch phone into the speakerphone mode* when the second sensor detects the magnet, which represents that the folder is in the fourth state. Instead OPELA is focused on initiating communications from a wireless communications device based upon the configuration of the wireless communications device. Initiating communications based upon a configuration of the wireless communications device and converting the mode of the rotation touch phone into the speakerphone mode based upon the configuration of the wireless communications device are clearly not the same. In addition, MIZUTA does disclose converting the mode of the rotation touch phone into the speakerphone mode based upon the configuration of the wireless communications. Should the examiner maintain the rejection, the Applicants respectfully request that the Examiner clearly articulate how OPELA or MIZUTA is being interpreted as disclosing the subject matter of converting the mode of the rotation touch phone into the speakerphone mode when the first sensor detects the magnet, which represents that the folder is in the first state, and converting the mode of the rotation touch phone into the speakerphone mode when the second sensor detects the magnet, which represents that the folder is in the fourth state.

Therefore, OPELA and MIZUTA fail to either alone or in combination, explicitly or implicitly, disclose, suggest, teach or render obvious all of the subject matter of claim 4. Therefore, claim 4 is allowable over OPELA and MIZUTA for the reasons given above. Independent claim 10 comprises similar subject matter to that discussed above with respect of claim 4 and is therefore allowable for similar reasons.

IV. Rejections under 35 U.S.C. §103(a) as being as being unpatentable over MIZUTA et al. (US 2003/0064758 A1) in view of AAGAARD et al. (US 6,839,576 A)

The Examiner has rejected claims 5, 6 11 and 12 under 35 U.S.C. §103(a) as being unpatentable over MIZUTA et al. (US 2003/0064758 A1), hereafter referred to as MIZUTA, in view of AAGAARD et al. (US 6,839,576 A), hereafter referred to as AAGAARD. Applicants respectfully requests reconsideration of the rejections because MIZUTA and AAGAARD, neither alone nor in combination, explicitly or implicitly, discloses, suggests, teaches or renders obvious the subject matter of claim 5. In particular, independent claim 5 requires:

> A method for utilizing first and second display sections as an illumination source when photographing an object by detecting a position of a folder in a rotation touch phone having a rotatable camera, the rotation touch phone including a sensor section, a folder, a body, and a connecting section, the folder having a magnet and the first and second display sections, the sensor section including first, second, and third sensors for detecting the magnet, the first and second sensors being located on the body and the third sensor being located on the connecting section, the connecting section connecting the folder to the body and having the camera, the folder being movable from first, second, third and fourth states, the first state signifying a state in which the folder is initially closed, the second state signifying a state in which the folder has been opened from the first state, the third state signifying a state in which the folder has been rotated substantially 180 degrees from the second state, the fourth state signifying a state in which the folder has been closed from the third state, wherein the orientation of the folder with respect to the body in the fourth state is different than the orientation of the folder with respect to the body in the first state, the method comprising the steps of:

> i) deciding that the folder is in at least one of the first to fourth states, when the sensor section inputs a signal notifying that the sensor section detects the magnet; and
>
> ii) utilizing at least one of the first and second display sections as the illumination source when the folder is in at least one of the second and third states (emphasis added).

As emphasized above, claim 5 requires utilizing first and second display sections function as an illumination source when photographing an object by detecting a position of a folder in a rotation touch phone having a rotatable camera, and utilizing at least one of the first and second display sections as the illumination source when the folder is in at least one of the second and third states. By contrast, neither MIZUTA nor AAGAARD disclose utilizing first and second display sections as an illumination source when photographing an object by detecting a position of a folder in a rotation touch phone having a rotatable camera, and utilizing at least one of the first and second display sections as the illumination source when the folder is in at least one of the second and third states. MIZUTA does disclose two display sections wherein one or the other is utilized depending upon the state of the phone. However, MIZUTA does not disclose that either of the display sections can be used as an illumination source, let alone an illumination source when photographing an object. Further, MIZUTA does not disclose a rotatable camera. While AAGAARD does disclose a camera and a display, AAGAARD does not disclose that the camera is rotatable. Nor does AAGAARD disclose that the display sections can be used as an illumination source, let alone an illumination source when photographing an object. Should the examiner maintain the rejection, the Applicants respectfully request that the Examiner clearly articulate how MIZUTA and AAGAARD is being interpreted as disclosing first and second display sections being used as an illumination source when photographing an object by detecting a position of a folder in a rotation touch phone having a rotatable camera, and utilizing at least one of the first and second display sections as the illumination source when the folder is in at least one of the second and third states.

Therefore, MIZUTA and AAGAARD fails to either alone or in combination, explicitly or implicitly, disclose, suggest, teach or render obvious all of the subject matter of claim 5. Therefore, claim 5 is allowable over MIZUTA and AAGAARD for the reasons given above. Independent

claim 11 comprises similar subject matter to that discussed above with respect of claim 5 and is therefore allowable for similar reasons. Moreover, dependent claims 6 and 12 are allowable for the reasons given above by virtue of their dependence on independent claims 5 and 11.

V. Rejections under 35 U.S.C. §103(a) as being as being unpatentable over AAGAARD et al. (US 6,839,576 A) in view of MIZUTA et al. (US 2003/0064758 A1)

The Examiner has rejected claims 7 and 8 under 35 U.S.C. §103(a) as being unpatentable over AAGAARD et al. (US 6,839,576 A), hereafter referred to as AAGAARD, in view of MIZUTA et al. (US 2003/0064758 A1). Applicants respectfully request reconsideration of the rejections because AAGAARD and MIZUTA, neither alone nor in combination, explicitly or implicitly, discloses, suggests, teaches or renders obvious the subject matter of amended claim 7. In particular, amended independent claim 7 requires:

> A rotation touch phone comprising a folder, a body, and a connecting section, comprising:
>
> a camera adapted to take pictures for the rotation touch phone;
>
> first and second display sections adapted to input and output information for the rotation touch phone;
>
> a sensor section adapted to detect a position of a magnet disposed on the folder section, the sensor section including first, second and third sensors, the first and second sensors being located on the body and the third sensor being located on the connecting section;
>
> the folder being adapted to move from first, second, third and fourth states, the first state signifying a state in which the folder section is initially closed, the second state signifying a state in which the folder section has been opened from the first state, the third state signifying a state in which the folder section has been rotated substantially 180 degrees from the second state, the fourth state signifying a state in which the folder section has been closed from the third state, wherein the orientation of the folder with

respect to the body in the fourth state is different than the orientation of the folder with respect to the body in the first state; and

a controller adapted to receive a signal from the sensor section indicating that the sensor section detects the magnet; and decide that the folder section is in at least one of the first to fourth states, based on the signal input from the sensor section (emphasis added).

As emphasized above, amended claim 7 requires a third sensor being located on the connecting section and requires the orientation of the folder with respect to the body in the fourth state is different than the orientation of the folder with respect to the body in the first state. For the above emphasized subject matter, the Examiner cited drawing figures 4-7 of AAGAARD as disclosing a "folder being movable from first, second, third and fourth states, the first state signifying a state in which the folder is initially closed, the second state signifying a state in which the folder has been opened from the first state, the third state signifying a state in which the folder has been rotated substantially 180 degrees from the second state, the fourth state signifying a state in which the folder has been closed from the third state". AAGAARD's drawing figures 4-7 are reproduced below for convenience.

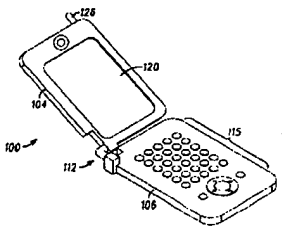


FIG. 4

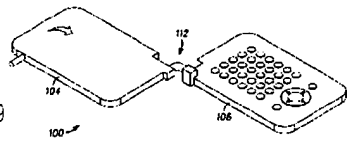


FIG. 5

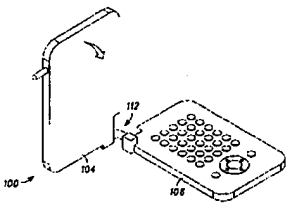


FIG. 6

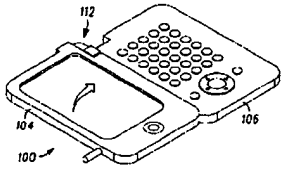


FIG. 7

In AAGAARD, when the portable device depicted in drawing figure 4 is folded, the two portions of the portable device are in the same orientation with respect to each other as their orientation when the portable device depicted in drawing figure 7 is folded. In other words, whether the portable device is folded from the position shown in drawing figure 4 or drawing figure 7, the two portions of the portable device are closed on each other with the display 120 facing the keypad.

In contrast, the amended claim 7 further recites that "the orientation of the folder with respect to the body in the fourth state is different than the orientation of the folder with respect to the body in the first state". This is clearly not the case in AAGAARD, as described above. By way of example, drawing figures 1A-1C demonstrate that "the orientation of the folder with respect to the body in the fourth state is different than the orientation of the folder with respect to the body in the first state", as recited in Applicants' claim 1. The Applicants' drawing figures 1A-1C are reproduced below for convenience.

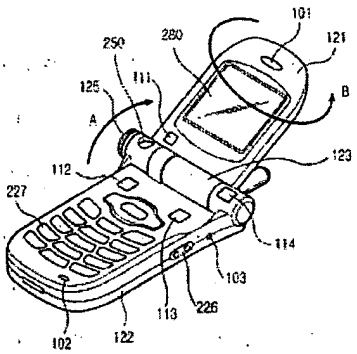


FIG.1A

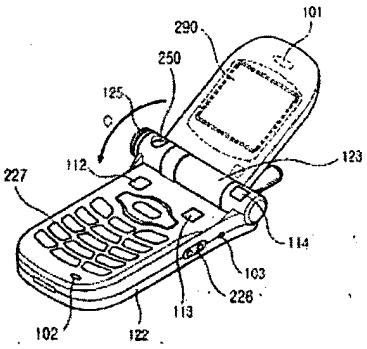


FIG.1B

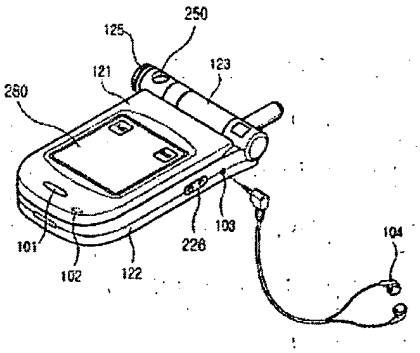


FIG.1C

In drawing figures 1A-1C, when the portable device depicted in drawing figure 1A is folded, the two portions of the portable device are in a different orientation with respect to each other than their orientation as depicted in drawing figure 1C. When the portable device is folded from the position shown is drawing figure 1C the two portion of the portable device are closed on each other with the display 280 facing the keypad. By contrast, the portable device as folded in drawing figure 1C shows the two portion of the portable device being closed on each other with the display 280 facing away from the keypad. Thus, AAGAARD fails to either explicitly or implicitly, disclose, suggest, teach or anticipate all of the limitations of claim 7.

Furthermore, should the Examiner consider applying MIZUTA to make up for AAGAARD's deficiency, the Examiner is respectfully requested to consider that amended claim 7 requires that the third sensor of the sensor section be located on the connecting section. As exemplified in drawing figures 1A reproduced above, the phone includes a third sensor (element 114) that is located on the connecting section. The location of the third sensor on the connecting section is beneficial in that it enables the determination of the folder having been completely rotated 180 degrees.

By contrast, MIZUTA fails to disclose that the third sensor is located on the connecting section. While MIZUTA does disclose three sensors, MIZUTA dose not disclose that at least one of the sensors is located on the connecting section. As specified in MIZUTA's paragraph 94 and drawing figure 7A, all three of MIZUTA's sensors are located in the main body and not on the connecting section. MIZUTA's drawing figure 7A is reproduced below for the Examiner's convenience.

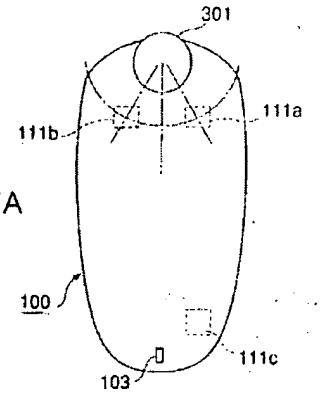


FIG.7A

Therefore, MIZUTA fails to either explicitly or implicitly, disclose, suggest, teach or anticipate each and every limitation of claim 1. In particular, MIZUTA does not teach that the third sensor of the sensor section is located on the connecting section. Moreover, Applicants' submit that should the Examiner consider applying AAGAARD to make up for MIZUTA deficiency, the hinge configuration/sensing section of MIZUTA and AAGAARD would not be obvious to combine nor would they be readily combinable. Therefore, AAGAARD and MIZUTA fail to either alone or in combination, explicitly or implicitly, disclose, suggest, teach or render obvious all of the subject matter of claim 7. Therefore, claim 7 is allowable over AAGAARD and MIZUTA for the reasons given above. Moreover, dependent claim 8 is allowable for the reasons given above by virtue of its dependence on independent claim 7.

VI. Conclusion

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: June 8, 2006

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